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March 19, 2008

Via Federal Express
8581 2000 3972
Hon. Justice Charles L. Brieant
United States District Court
300 Quarropas Street – Room 275
White Plains, New York 10601

RE: MICHAEL GLAUBER and IRENE GLAUBER
v. J.B. HUNT TRANSPORT, INC.
and JASON ARTHUR JARVIS
Civil Index No.: CV-07-230 *77th 07230 (CAB)*
Our File No.: JBH 16136

Dear Honorable Justice Brieant:

Please be advised that we would like to schedule a pre-motion discovery conference as per Local Civil Rules 37.2. At this time the plaintiff's attorney has served a subpoena on my client's J.B. Hunt's investigator in this case for a deposition. They are seeking what we believe to be privileged information such as statements made by our client, defendant Jason Arthur Jarvis, and other portions of the investigative file. The investigative file, especially with regard to statements made by Jason Arthur Jarvis and the work done by the investigator, is privileged and in contemplation of litigation. We would like to move to quash the deposition subpoena of the investigator.

Previously we provided photographs taken by the investigator, statements made by their client to our investigator, as well as a non-party driver's statement to the investigator. Please note that the deposition date for the Notice of the Deposition subpoena *duces tecum* is March 28, 2008. We would like to

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schedule a conference before that time. We also requested a conference previously for an extension of time for discovery. This conference is to be held before Judge Yanthis.

Very truly yours,

NEWMAN FITCH ALTHEIM MYERS, P.C.


ANTHONY D. LUIS (AL0678)

ADL:jp

cc: Hon. Magistrate Justice George A. Yanthis
United States District Court
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